

ORGANIZATIONAL DEVELOPMENT AND CHANGE MANAGEMENT.

A CASE STUDY: ROMANIAN BORDER POLICE - 10 YEARS OF TRANSFORMATION (1999-2009)

Marius PROFIROIU

Professor, Ph.D.

Management Faculty, Academy of Economic Studies, Bucharest
profiroiu@gmail.com

Marian NICA

Ph.D. Candidate

Academy of Economic Studies, Bucharest
marian.nica@demn.eu

Rezumat:

Poliția de Frontieră Română este una dintre instituțiile publice românești, care a parcurs în ultimii 10 ani o transformare profundă și un important proces de adaptare care ar putea fi rezumat după cum urmează: optimizarea procedurilor de lucru; euro-conformitate legislativă; consolidarea și modernizarea managementului; reorganizarea instituțională; optimizarea gestionării resurselor umane; cooperare instituțională internă și externă, dezvoltarea capacității tehnice-operative. Poliția de Frontieră Română a urmărit în mod constant dezvoltarea unei instituții moderne, funcționale, compatibile cu structurile similare din statele membre UE și capabilă de a contracara eficient fenomenele criminalității transfrontaliere.

Cuvinte cheie: organizational development, change management, institutional transformation, institutional building, Romanian Border Police, Phare

Abstract:

In past 10 years Romanian Border Police is one of the Romanian public institutions that underwent a profound transformation and adaptation process that could be summarized as follows: optimization of the working procedures; law Euro-conformity; enhancement and modernization of management; institutional reorganization; optimization of human resources management; internal and external inter-institutional cooperation; development of the technical-operative capacity. Romanian Border Police has constantly pursued to set up a functional, modern institution, compatible with the similar structures from the E.U. Member States and capable to efficiently counter the cross-border crime phenomena.

Key words: organizational development, change management, institutional transformation, institutional building, Romanian Border Police, Phare

JEL Classification: Z00

1. ORGANIZATIONAL DEVELOPMENT – BETWEEN NECESSITY AND OPPORTUNITY

More and more organizations from today are facing a dynamic and changing environment that requires them a solid capacity to adapt. Robbins (2003) noticed that “change or die” is the rallying cry among today’s managers worldwide. This reality is valid not only for business sector, but for public sector, as well.

Organization change is systemic, and this could be explained with at least three reasons: First, when some aspect of the system is changed, other aspects will be affected, therefore changed, affecting the dynamic of the whole system. Second, the target for change is the system, not the individual, therefore addressing organization’s culture, group and organizational norms to which members conform. As long as group standards are unchanged, the individual will resist change more strongly the further he is expected to depart from group standards. If the group standard itself is changed, the resistance which is due to the relation between individual and group standards is eliminated. Third, open system characteristics of importation of energy and negative entropy. For an organization to survive, energy must be taken into the organization in a variety of forms and transformed into products and services that add value to the beneficiaries.

Comparing the organization with a living organism, Katz and Kahn (1978) define 10 characteristics that distinguish an open system;

1. *Importation of Energy.* No human organization is self-contained or self-sufficient; therefore, it must draw energy from outside to ensure survival.
2. *Input.* The employees of an organization take these raw materials and other sources from the environment and use them to develop a product.
3. *Output.* Delivering the product.
4. *Systems are cycles of events.* An organization does not have a physical boundary as human being does (skin that encloses bones, muscles, organs, and so on) to identify it as a system. Nevertheless, events for the most part, rather than things, provide identity. Social structures, the chain of events between and among people, establish boundaries.
5. *Negative entropy.* The organizations are not self-sufficient; they are unstable and will not survive or grow unless active and deliberate effort will be applied.
6. *Information Input, Negative Feedback, and the Coding Process.* If an organization obtains feedback on how well its output is being received, it can respond to its beneficiaries more

effectively in the future. This is especially true when the feedback is negative, when corrective actions is planned and taken.

7. *Steady-State and Dynamic Homeostasis.* An organization's apparent equilibrium is actually up at one moment and down at another, but the overall averaging of these ups and downs gives the appearance of a stationary or steady-state situation.
8. *Differentiation.* As an organization continues to offset the entropic process and therefore grows, differentiation and elaboration occurs.
9. *Integration and Coordination.* Organization structures, roles, and authority are the social-system vehicles that managers use to achieve integration and coordination.
10. *Equifinality.* An organization's success and effectiveness in a systems sense is contingent on two processes: openness and selectivity.

Therefore, open system theory begins with the cyclical process of input (importation of energy)-throughput-output, that is transforming input into a usable product and/or service. The output creates the potential for a feedback, which generates another form of input so that the organizations can correct its actions in order to improve its future outputs. So, systems are composed of cycles of events, for which it is critical that organizations have 'stored' energy from external environment, and then they use to produce the output.

Globally, the trend of last twenty years is globalization and developing of institutional networks. In this context, the national states are required flexibility for adapting to these realities and transformation. For Romania, these transformations were more accelerated by the political and geopolitical context, of its integration in the European Union.

Reinforcing the institutional and administrative capacity of beneficiary countries is a key requirement for enlargement if they are to be in a position to fully adopt, implement and comply with the Community acquis. This requires modernization of their administrations and judiciary, taking account of the principles of professionalism and neutrality. Preparing for EU membership requires far reaching changes across a broad range of sectors in many of the institutions and organizations involved in the legislative and enforcement process.

Institution Building support was (and still is) available for the candidate countries to the new Member States. Activities focus on the weaknesses identified at the central, regional and local level particularly in view of the increased emphasis given to Economic and Social Cohesion. Institution Building has two areas of action: transfer of 'know-how' and Institution Building involving Investment.

2. INSTITUTIONAL TRANSFORMATIONS IN ROMANIA IN EU PRE-ACCESSION PERIOD

The precession European funding framework PHARE¹ - Institution Building Programme is one of the most important initiatives of the European Commission for the support of the candidate countries integration process to the EU. Its purpose is the creation and improvement of the existing democratic institutions, agencies and public services of these countries.

Institutional Building involves mainly transfer of know-how. This is defined as the process of helping the partner countries to develop the structures, strategies, human resources and management skills needed to strengthen their economic, social, regulatory and administrative capacity.

Such assistance is provided specifically to implement the *acquis communitarian* and to prepare for participation in EU policies fulfills the requirements of the Copenhagen political criterion: the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities.

Nevertheless, institution building involved also physical investment, which was concentrated on supporting alignment with EU norms and standards. There are three principle features:

1. supports investment in key regulatory institutions whose equipment or infrastructure needs to be upgraded in order to monitor and enforce the *acquis* effectively;
2. such investments can be supported anywhere in a beneficiary country;
3. investment in the regulatory infrastructure is only made on the basis of a clear-cut government strategy on public administration reform, modernization and governance, supported as necessary by Institution Building involving transfer of 'know-how'.

Approximate 7 billion EUR² and more than 1,000 EU experts and officials sustained Romania's efforts for European Union integration. An important part of these resources were directed to the institutional building support of Romanian public institutions. Romanian Border Police was one of the beneficiaries of such support for more than 10 years.

¹ The European Commission, DG Enlargement: <http://ec.europa.eu/enlargement>

² The European Commission, Transition Phare Team in Romania: http://ec.europa.eu/romania/documents/news/phare-well-_retrospectiva.pdf

3. CASE STUDY: ROMANIAN BORDER POLICE - 10 YEARS OF TRANSFORMATION (1999-2009)

The Romanian Border Police³ is part of the Ministry of Administration and Interior and is the specialized state institution which carries out the attributions appertaining to it and referring to the surveillance and control of the crossing of the state border, the prevention and fight against illegal migration and against acts specific to cross border criminality carried out in its area of competence.

Relatively young body, but with a century-old tradition in ensuring the order at the Romanian borders, the Border Police proves to be an institution with its own personality and individuality for carrying out missions, being able to highlight, as early as the moment of crossing the border, the true image of the state of right and the genuine democracy and civilization of the Romanian people.

Responsible for approximately 3.150 km of borders, the Romanian Border Police permanently copes with the extremely varied problems and illegal means of transiting the Romanian border, starting with the illegal migration, the traffic in drugs, guns and stolen cars and finishing with smuggling - in all its forms of manifestation.

The legal framework which establishes the organization and the activity of Romanian Border Police is represented by:

- Governmental Emergency Ordinance no. 104/27 June 2001 concerning the organization and function of the Romanian Border Police, ratified by the Law no. 81/26 February 2002 and amended by the Law no. 196/25 May 2004;
- Governmental Emergency Ordinance no. 105/27 June 2001 concerning the Romanian border, ratified by the Law no. 243/29 April 2002 and ratified by the Law no. 39/21 January 2003;
- Governmental Decision no. 445/9 May 2002 for ratifying the methodological application Rules of Governmental Emergency Ordinance no. 105/27 June 2001 concerning the Romanian Border.
- New Statute of the police officer, adopted by the Law no. 360 / 6th of June 2002, completes and details the stipulations concerning the development for this activity in the service of community, in the limits and according to the law.

³ The Romanian Border Police: <http://www.politiadefrontiera.ro/>

The strengthening the border management and control, in particular on the Eastern and Northern borders was a key element of Romania's Accession Partnership with the European Union and its National Programme for Adoption of the Acquis (NPAA). A major goal within the process of Romania's accession to the EU is achieving security of the national border, as well as strengthening border surveillance and control, with the participation of all the institutions involved in border management.

A major turning point for Romanian Border Police was 1999, when a deep process started, to transform a military and rigid institution into a modern border management agency. The rapid accelerating process of change towards the application of EU norms in the complex field of Justice and Home Affairs had a major impact upon the institutional capacity of the Romanian Border Police.

In order to achieve the objectives Romania had in view in order to adhere to the European Union, namely, the development of the action capacity of the Romanian Border Police, in the field of the efficient fight against the cross bordering criminality and of ensuring the strengthening of the Romanian borders, in the period 1998 - 2009 the Romanian Border Police benefited from funds amounting approximate 200 M Euro (160 M Euro Phare and 40 M Euro from co-financing), directed into 26 projects listed below:

RO 9806.01-01 - The Institutional Twinning Convention with Germany

RO 9907-01.01/01 - The Institutional Twinning Convention with Spain and France

RO 9907.01.01/03 - The Institutional Twinning Convention ISBM – Germany

RO 0006.16.01.01/01 – Development of training capacity

RO 0006.16.01.01/02 - The equipment supply for the Training Centre Iasi

RO 0006.16.01.01/03 - The Rehabilitation of the Infrastructure of the Training Centre Iasi

RO 0006.16.01.02 - Training in the communication management

RO 0006.16.01.03 – Mobility

RO 0006.16.01.04 – Surveillance

RO 0006.16.01.05 - Tactical Support

RO 0107.16.01 - The Institutional Twinning Convention - Twinning Light

RO 0107.16.02 - The Institutional Twinning Convention SIBM 2 – Germany

RO 0107.16.03 - The Acquisition of equipments for the detection of the forgery in documents

RO 0107.16.04 – Data Voice Communications

2002/000-586.04.14.01.01 - The improvement of the intervention capacity of the operational officers

2002/000-586.04.14.01.02 - Institutional Twinning Convention - Germany and Spain

2002/000-586.04.14.01.03 - The increase of the future abilities of the managing staff of the Romanian Border Police

RO/2003/IB-JH-01 - Institutional Twinning Convention – France

RO/2003/IB-JH-02 - Institutional Twinning Convention – Spain

RO/2003/005-551.04.12.04 - Investments (fixed communications)

RO/2003/005-551.04.12.05 - Investments (SCOMAR fixed communications)

RO/2003/005-551.04.12.06 - Investments (control equipments)

2004 The optimization of the institutional system and of the human resources system within the Romanian Border Police and the National Custom Authority

2004 The continuous development of the system of border strengthening

2005 The optimization of the institutional system and of the human resources system within the Romanian Border Police and the National Custom Authority

2005 The continuous development of the system of border strengthening; implementation of Integrated System of Observance, Surveillance and Traffic Control at the Black Sea (S.C.O.M.A.R.)

The Phare 1998 Border Management Programme (January 2000 – January 2001) mainly focused on Institution Building and especially on primary legislation, structural and organizational development, and modernization of training.

The Phare 1999 Border Management Programme (April 2000 – April 2003) focused on training and education, supply of mobility and tactical support equipment and small-scale strategic advice. The programme included also the development of an Integrated Border Management Strategy, with a view to creating a clear framework for all border-related issues, to increase the effectiveness of border activities and to continue previous initiatives concerning the implementation of the Schengen Acquis. Feasibility studies for the RBP IT and Communication systems were elaborated through the Follow Up component.

The Phare 2000 Border Management Programme (April 2001 – November 2002) focused on training development, visa application and supply of mobility, tactical support and surveillance equipment. The Phare 2000 Anti-drugs Programme (September 2001 - March 2003) focused on the development of legislation, institutions and procedures relating to the fight against drugs, on the development of a National Strategy in the field, and on the procurement of equipment for drug supply/drug demand-reduction agencies.

The Phare 2001 Border Management Programme focused on further legislative development in the field of Border Management and Control (secondary legislation, RBP Schengen Manual and Schengen Guide), further development of an Integrated Border Management Strategy and an improvement of the free movement of Romanian citizens (improved checking procedures). The Phare 2001 Programme Strengthening the management of the migration phenomenon in Romania aimed at creating a legal framework for a better management of migration, future approximation to the EU Acquis as regards the regime of aliens/foreigners and strengthening the operational capacity in relation with them.

The Phare 2002 Border Management Programme (under way) focused on further enhancing the capacity of the RBP to guard the Romanian borders effectively. As such, additional equipment to assist the RBP in this task was purchased and institutional support provided. Preparations to connect Romania in the future to SIS were continued and the visa application system further enhanced. Romania streamlined its legislation with regard to Dublin Convention cases and unaccompanied minors in order to bring it in line with the EU Acquis.

The Phare 2003 Programme - Strengthening Border Control had the main purpose: Enhanced capability of the Romanian Border Police (RBP) to further strengthen the Romanian borders, as future EU Eastern border zones, in accordance with EU standards and procedures relating to border management and control.

The Phare 2004 Programme - Strengthening Border Management and Control had the main objective: Development of the institutional capacity to apply the EU Acquis in the field of border management and control, in preparation for Romania's accession to the EU.

The Phare 2005 Programmes aimed the optimization of the institutional system and of the human resources system within the Romanian Border Police and the National Custom Authority as well as the continuous development of the system of border strengthening; implementation of Integrated System of Observance, Surveillance and Traffic Control at the Black Sea (SCOMAR).

The Border Police does not engage in an ever on-going organizational change; no well-managed organization does. The full implementation of Schengen operations and systems protocols speaks in favor of minimizing organizational adjustments in the field. Nevertheless, the Border Police does face the need of organizational adjustments from time to time, in one or several areas. The Border Police is considering blue-prints for adjusting the Head Office organization, with possible implications for territorial and other subordinated structures.

Functional re-design: Current deliberations on Head Office organizational adjustment point to a possible benefit of gaining a comprehensive understanding of tools and approaches in organizational diagnostics and re-design principles, functional tasking and supporting reporting frameworks, in addition to staff dimensioning from the point of view of numbers, and competences. Underlying these concerns is the optimization of the organizational structure: horizontal and vertical relationships between functions, and network performance management.

Process Improvements: Moreover, most organizations, both public and private, are constantly striving to improve procedures for purposes of minimizing costs and/or time, or improving services. The Border Police will find itself in this *claim* of expectations, demands and constraints, as do other public agencies in Europe, and elsewhere. Prudent preparation, therefore, calls for a thorough introduction to business re-engineering and business procedure development, fully respecting the Schengen Handbook national procedures, with a view to potentially relevant applications.

Communication: Successful management of change confirmed that communication is one of two key factors for success. For this reason alone, communication has to be an on-going priority in any change process, and will be addressed both as a topic in its own right, and as an integral part of other organizational initiatives.

Therefore the Romanian Border Police has constantly pursued - within the institutional transforming processes carried out in the last years - to set up a functional, modern institution, compatible with the similar structures from the E.U. Member States and capable to counter the cross-border crime phenomena efficiently. The reorganizations had into view the optimization of the structure, in particular the improvement of the working practices and the development of the efficiency in surveillance and physical control of the Romanian borders, and also aimed to offer a response to the risks generated by cross-border crime, enhance the capacity to elaborate the operational risk analysis and, last but not least, to create the conditions necessary for increasing the training capacity of the staff.

Also, after Romania's accession to the European Union, Romanian Border Police structure and the European institutions will connect, realizing thus a direct communication channel, especially on

operational line (e.g.: FRONTEX National Contact Point, border contact points and centers, etc.). Depending on the cross-border crime evolution and the requirements imposed by Schengen membership, the Romanian Border Police is prepared to introduce future adjustments in its organizational structure in order to fulfill its responsibilities. Present employment at the Romanian Border Police, by is presented in table 1.

TABLE 1: ORGANIZATIONAL STRUCTURE AND EMPLOYMENT STATUS

	Officers	Agents	Contracted Staff	Total
Head Office				280
Subordinated Structures				640
Airports				
Training Schools	245	203	214	662
Territorial Structures				
Grand Total	15,999		1261	17,868

Today, following the organizational transformations that took place, the Romanian Border Police has the following organizational structure (please see in annex 1):

The General Inspectorate of Border Police: it is the central unit of the Romanian Border Police, with juridical entity and territorial competence for the entire responsibility area of the Border Police, which conducts the leadership activities and is responsible for the entire activity of the Border Police, performs investigation and research activities of serious acts of organized crime, illegal migration and cross-border crime committed in the territorial competence area of the Border Police, as well as any other duties assigned by law. The General Inspectorate of Border Police is lead by a general inspector, appointed by order of the Minister of Interior, assisted by deputies. The General Inspectorate of Border Police has directorates, services and offices in its organizational structure.

County inspectorates of Border Police (subordinated to the General Inspectorate of Border Police); these are distinct units within the General Inspectorate of Border Police and have a determined territorial competence. They are organized, internally, in services, offices and departments, which are specialized on fields of activity. Sectors and ships groups function, within the inspectorates, as executive structures with limited territorial competence.

Border Police sectors (subordinated to the counties inspectorates of B.P.);

Border Police ship groups (subordinated to the counties inspectorates of B.P.); the ship groups are executive structures within Border Police county inspectorates having limited competence and they are organized in departments, shifts and crews, according to the specific activities.

Border Police points (subordinated to the sectors of B.P.); the Border Police Points function based on the provisions of the bilateral agreements between Romania and the neighboring states, and of the national legislation in force, respectively, being subordinate both to the B.P. sectors on the territorial area and under the direct subordination of G.I.B.P. (in the inland counties).

Education institutions for personnel training and specialization; they ensure initial and continuous training of the Border Police personnel, contributing substantially to the increase of the professional training level, based on a high performance system, which corresponds to the security requirements of the Romanian border and to the European practices in this field.

4. CONCLUSIONS

Organizations change at a much slower speed than the external environments in which they function and must continuously keep the tempo⁴. Moreover, these environments are in constant change, therefore organizations are challenged permanently to adapt.

In past 10 years Romanian Border Police is one of the Romanian public institutions that underwent a profound transformation and adaptation process that could be summarized as follows: optimization of the working procedures; law Euro-conformity; enhancement and modernization of management; institutional reorganization; optimization of human resources management; internal and external inter-institutional cooperation; development of the technical-operative capacity. The results obtained by the Romanian Border Police were positively appreciated by a recent external evaluation (Phare Interim Evaluation, from 29.02.2009): *'The linkage of the Border Management, National Customs Authority and Schengen interventions to EU level strategies assures impact and Romania has a good reputation among the Member States in these areas'* (Burke, 2002).

The main results that were achieved during this transformational process could be clustered as follows:

Alignment legislation process: the activity of the Romanian Border Police was regulated so that the disharmonies and parallelisms should be avoided and the aim is to fulfill the E.U. recommendations in the border security field. The Romanian Border Police applies, in the present, the provisions of the Regulation 562/2006 of the European Parliament and of the Council on creating a Community Code on the rules governing the free movement of persons across the border (Schengen Border Code), Directive 38 of the European Parliament and of the Council on the right of the citizens of the Union and their members to move and reside freely within the territory of the Member States, Commission

Recommendation EC of 06.11.2006 establishing a "Practical Handbook for Border Guards" (Schengen Handbook) as well as other legal acts regarding the control of the borders transposed into the national law.

Institutional and human resources field: Measures of reconstruction of the institutional system, of the decisional decentralization, of the responsibility and the professional level increase of the personnel, respectively, of perfecting the surveillance and control procedures at the state border crossing according to the European standards were implemented. A main preoccupation of the Romanian Border Police in the human resources field was to improve the quality of the professional attitude of own personnel, by assuring the necessary personnel and increasing the level of initial and continuous professional training, on the basis of an advanced system in order to correspond to the requirements of the Romanian border security and of the European practices in this field.

Proper logistics and equipments: The enhanced efficiency of the security measures at the state borders is currently achieved due to a substantial logistic support, in continuous development and modernization, achieved also through own efforts and with external decisive support. The most important one is the Integrated System of Observance, Surveillance and Traffic Control at the Black Sea (SCOMAR), a state-of-the-art system that become operational in April 2009.

National and international cooperation: Cooperation between Romanian Border Police and other state institutions with responsibilities at the border have a permanent character, constituting an essential element for efficient implementation of the strategies and legislation in this field. This was materialized through operative exchange of data and information, joint actions, participating at joint instruction programs, joint exploitation of the risk analysis specific for the activity field of each institution, etc. Also, in order to prevent and counter transnational crime, Romanian Border Police cooperates with liaison officers and Romanian Home Affairs attachés assigned in Romania. At the international plan, a strong collaboration with the similar structures from the E.U. Member States, and also with other international institutions / bodies with responsibilities in the border field, the operative result obtained being a proof of the efficiency of these bilateral relations. Also, Romanian Border Police is actively supporting and participating in the implementation of FRONTEX⁵ projects in order to secure European Union external borders.

⁵ **Frontex** is a EU agency based in Warsaw, created as a specialized and independent body tasked to coordinate the operational cooperation between Member States in the field of border security

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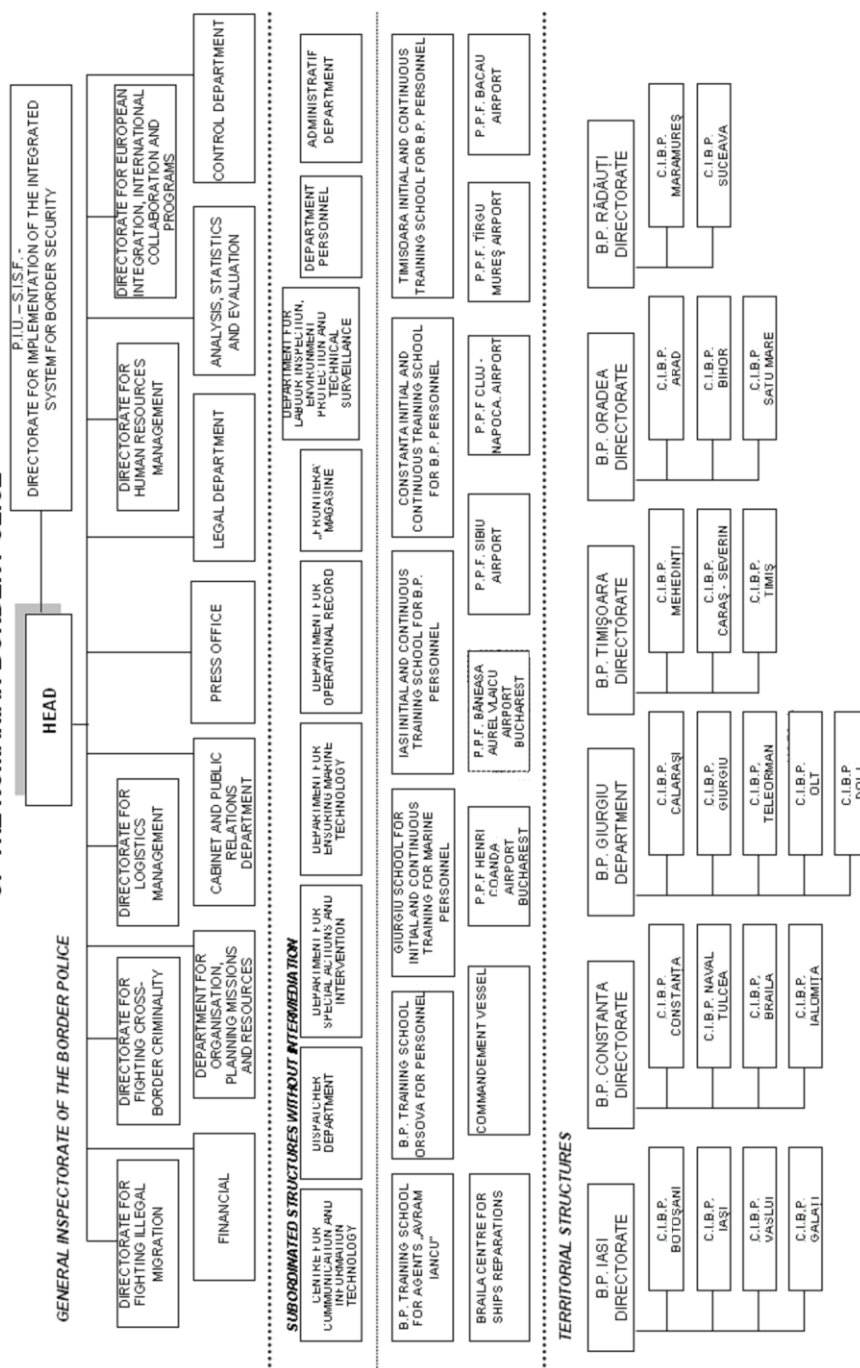
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ORGANIGRAMME OF THE ROMANIAN BORDER POLICE



PROCEEDINGS OF THE FIFTH "ADMINISTRATION AND PUBLIC MANAGEMENT" INTERNATIONAL CONFERENCE
"PUBLIC INSTITUTIONS' CAPACITY TO IMPLEMENT THE ADMINISTRATIVE REFORM PROCESS"

Bucharest, June 23-24, 2009